

Roger L. Grandgenett II, Esq.
Nevada Bar No. 6323
Taylor A. Buono, Esq.
Nevada Bar No. 15513
LITTLER MENDELSON, P.C.
8474 Rozita Lee Avenue
Suite 200
Las Vegas, Nevada 89113.4770
Telephone: 702.862.8800
Facsimile: 702.862.8811
rgrandgenett@littler.com
tbuono@littler.com

Attorneys for Defendant
AFFORDABLE STRIPING & SEALING, LLC

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JAMARKUS PORTER, an individual,

Plaintiff,

v.

AFFORDABLE STRIPING & SEALING, LLC,
a Nevada Limited Liability Company; DOES I
through X, inclusive; ROE BUSINESS
ENTITIES XI through XX, inclusive,

Defendants.

Case No. 2:25-cv-01151-GMN-DJA

**STIPULATION AND ORDER TO
REMAND**

(FIRST REQUEST)

Plaintiff Jamarkus Porter and Defendant Affordable Striping & Sealing, through their counsel, hereby agree and stipulate to remand this case to State Court.

1. On May 30, 2025, Plaintiff filed a Complaint in the Eighth Judicial District Court – Clark County, Nevada, as Case No. A-25-920057-C, which was assigned to the Honorable Judge Tara Clark Newberry.

2. On June 25, 2025, Defendant, by and through their attorneys, removed Plaintiff's Complaint to this Court pursuant to 28 U.S.C. § 1331, as Plaintiff's Complaint raised claims of racial and disability discrimination, harassment, and retaliation. Plaintiff's Complaint included a demand for attorney's fees pursuant to NRS 613.432, which specifically references 42 U.S.C.

§ 2000e-5(k), and 42 U.S.C. § 2000e-5(k).

3. On July 22, 2025, Plaintiff filed a Motion to Remand. [ECF No. 12.] In the Motion to Remand, Plaintiff asserted he alleged claims arising under Nevada state law. Thus, the basis for removal jurisdiction pursuant to 28 U.S.C. § 1331 does not exist.

4. Accordingly, the parties hereby agree and stipulate to remand to State Court is appropriate.

5. Further, the parties agree that that upon remand to Judge Clark Newberry of the Eighth Judicial District Court – Clark County, Nevada, Defendant will file its responsive pleading within fourteen (14) days after Plaintiff files and serves a written notice of entry of the remand order, pursuant to NRCP 81(c).

6. Accordingly, it is hereby stipulated and agreed that at this time, this Court does not have jurisdiction under either 28 U.S.C. § 1331 or 28 U.S.C. § 1332 for this matter and this action should be remanded back to the Eighth Judicial District Court for the State of Nevada in and for the County of Clark pursuant to 28 U.S.C. § 1447.

Dated: August 15, 2025

Dated: August 15, 2025

/s/ Marian L. Massey

Jemma E. Dunn, Esq.
Matthew T. Hale, Esq.
Marian L. Massey, Esq. GREENBERG GROSS
LLP Attorneys for Plaintiff JAMARKUS
PORTER

/s/ Taylor A. Buono

Roger L. Grandgenett II, Esq.
Taylor A. Buono, Esq.
LITTLER MENDELSON, P.C.
Attorneys for Defendant
AFFORDABLE STRIPING & SEALING,
LLC

**IT IS SO ORDERED. IT IS FURTHER
ORDERED** that all pending motions are denied
as moot.

Dated: August 19, 2025


UNITED STATES DISTRICT JUDGE

4926-1123-1326.1 / 109069.1004